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REQUEST FOR PROPOSAL

Baseline Study on Access to Justice in Mozambique 2015_2019

RFP No.: 003_2019

Project: Access to Justice

Country: Mozambique

Issued on: 4 September 2019

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Section 1. Letter of Invitation

The United Nations Development Programme (UNDP) hereby invites you to submit a Proposal to this Request for Proposal (RFP) for the above-referenced subject.

This RFP includes the following documents and the General Terms and Conditions of Contract which is inserted in the Bid Data Sheet (BDS):

- Section 1: This Letter of Invitation
- Section 2: Instruction to Bidders
- Section 3: Bid Data Sheet (BDS)
- Section 4: Evaluation Criteria
- Section 5: Terms of Reference
- Section 6: Returnable Bidding Forms
 - Form A: Technical Proposal Submission Form
 - Form B: Bidder Information Form
 - Form C: Joint Venture/Consortium/Association Information Form
 - Form D: Qualification Form
 - Form E: Format of Technical Proposal
 - Form F: Financial Proposal Submission Form
 - Form G: Financial Proposal Form

If you are interested in submitting a Proposal in response to this RFP, please prepare your Proposal in accordance with the requirements and procedure as set out in this RFP and submit it by the Deadline for Submission of Proposals set out in Bid Data Sheet.

Please acknowledge receipt of this RFP by sending an email to procurement.mozambique@undp.org, indicating whether you intend to submit a Proposal or otherwise. You may also utilize the "Accept Invitation" function in eTendering system, where applicable. This will enable you to receive amendments or updates to the RFP. Should you require further clarifications, kindly communicate with the contact person/s identified in the attached Bid Data Sheet as the focal point for queries on this RFP.

UNDP looks forward to receiving your Proposal and thank you in advance for your interest in UNDP procurement opportunities.

Issued by:

Approved by:

Name: Mauro Ivo Salia
Title: Procurement Associate
Date: **September 4, 2019**

Name: Francisco Roquette
Title: Deputy Resident Representative (P&O)
Date: **September 4, 2019**

Section 2. Instruction to Bidders

A. GENERAL PROVISIONS	
1. Introduction	<p>1.1 Bidders shall adhere to all the requirements of this RFP, including any amendments in writing by UNDP. This RFP is conducted in accordance with the UNDP Programme and Operations Policies and Procedures (POPP) on Contracts and Procurement which can be accessed at https://popp.undp.org/SitePages/POPPBSUnit.aspx?TermID=254a9f96-b883-476a-8ef8-e81f93a2b38d</p> <p>1.2 Any Proposal submitted will be regarded as an offer by the Bidder and does not constitute or imply the acceptance of the Proposal by UNDP. UNDP is under no obligation to award a contract to any Bidder as a result of this RFP.</p> <p>1.3 As part of the bid, it is desired that the Bidder registers at the United Nations Global Marketplace (UNGM) website (www.ungm.org). The Bidder may still submit a bid even if not registered with the UNGM. However, if the Bidder is selected for contract award, the Bidder must register on the UNGM prior to contract signature.</p>
2. Fraud & Corruption, Gifts and Hospitality	<p>2.1 UNDP strictly enforces a policy of zero tolerance on proscribed practices, including fraud, corruption, collusion, unethical or unprofessional practices, and obstruction of UNDP vendors and requires all bidders/vendors observe the highest standard of ethics during the procurement process and contract implementation. UNDP's Anti-Fraud Policy can be found at http://www.undp.org/content/undp/en/home/operations/accountability/audit/office_of_audit_andinvestigation.html#anti</p> <p>2.2 Bidders/vendors shall not offer gifts or hospitality of any kind to UNDP staff members including recreational trips to sporting or cultural events, theme parks or offers of holidays, transportation, or invitations to extravagant lunches or dinners.</p> <p>2.3 In pursuance of this policy, UNDP (a) Shall reject a proposal if it determines that the selected bidder has engaged in any corrupt or fraudulent practices in competing for the contract in question; (b) Shall declare a vendor ineligible, either indefinitely or for a stated period of time, to be awarded a contract if at any time it determines that the vendor has engaged in any corrupt or fraudulent practices in competing for, or in executing a UNDP contract.</p> <p>2.4 All Bidders must adhere to the UN Supplier Code of Conduct, which may be found at http://www.un.org/depts/ptd/pdf/conduct_english.pdf</p>
3. Eligibility	<p>3.1 A vendor should not be suspended, debarred, or otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization. Vendors are therefore required to disclose to UNDP whether they are subject to any sanction or temporary suspension imposed by these organizations.</p> <p>3.2 It is the Bidder's responsibility to ensure that its employees, joint venture members, sub-contractors, service providers, suppliers and/or their employees meet the eligibility requirements as established by UNDP.</p>

4. Conflict of Interests	<p>4.1 Bidders must strictly avoid conflicts with other assignments or their own interests, and act without consideration for future work. Bidders found to have a conflict of interest shall be disqualified. Without limitation on the generality of the above, Bidders, and any of their affiliates, shall be considered to have a conflict of interest with one or more parties in this solicitation process, if they:</p> <ul style="list-style-type: none"> a) Are or have been associated in the past, with a firm or any of its affiliates which have been engaged by UNDP to provide services for the preparation of the design, specifications, Terms of Reference, cost analysis/estimation, and other documents to be used for the procurement of the goods and services in this selection process; b) Were involved in the preparation and/or design of the programme/project related to the services requested under this RFP; or c) Are found to be in conflict for any other reason, as may be established by, or at the discretion of UNDP. <p>4.2 In the event of any uncertainty in the interpretation of a potential conflict of interest, Bidders must disclose to UNDP, and seek UNDP's confirmation on whether or not such a conflict exists.</p> <p>4.3 Similarly, the Bidders must disclose in their proposal their knowledge of the following:</p> <ul style="list-style-type: none"> a) If the owners, part-owners, officers, directors, controlling shareholders, of the bidding entity or key personnel are family members of UNDP staff involved in the procurement functions and/or the Government of the country or any Implementing Partner receiving services under this RFP; and b) All other circumstances that could potentially lead to actual or perceived conflict of interest, collusion or unfair competition practices. <p>Failure to disclose such an information may result in the rejection of the proposal or proposals affected by the non-disclosure.</p> <p>4.4 The eligibility of Bidders that are wholly or partly owned by the Government shall be subject to UNDP's further evaluation and review of various factors such as being registered, operated and managed as an independent business entity, the extent of Government ownership/share, receipt of subsidies, mandate and access to information in relation to this RFP, among others. Conditions that may lead to undue advantage against other Bidders may result in the eventual rejection of the Proposal.</p>
B. PREPARATION OF PROPOSALS	
5. General Considerations	<p>5.1 In preparing the Proposal, the Bidder is expected to examine the RFP in detail. Material deficiencies in providing the information requested in the RFP may result in rejection of the Proposal.</p> <p>5.2 The Bidder will not be permitted to take advantage of any errors or omissions in the RFP. Should such errors or omissions be discovered, the Bidder must notify the UNDP</p>
6. Cost of Preparation of Proposal	<p>6.1 The Bidder shall bear any and all costs related to the preparation and/or submission of the Proposal, regardless of whether its Proposal was selected or not. UNDP shall not be responsible or liable for those costs, regardless of the conduct or outcome of the procurement process.</p>
7. Language	<p>7.1 The Proposal, as well as any and all related correspondence exchanged by the Bidder and UNDP, shall be written in the language (s) specified in the BDS.</p>
8. Documents	<p>8.1 The Proposal shall comprise of the following documents:</p>

Comprising the Proposal	<ul style="list-style-type: none"> a) Documents Establishing the Eligibility and Qualifications of the Bidder; b) Technical Proposal; c) Financial Proposal; d) Proposal Security, if required by BDS; e) Any attachments and/or appendices to the Proposal.
9. Documents Establishing the Eligibility and Qualifications of the Bidder	<p>9.1 The Bidder shall furnish documentary evidence of its status as an eligible and qualified vendor, using the Forms provided under Section 6 and providing documents required in those forms. In order to award a contract to a Bidder, its qualifications must be documented to UNDP's satisfaction.</p>
10. Technical Proposal Format and Content	<p>10.1 The Bidder is required to submit a Technical Proposal using the Standard Forms and templates provided in Section 6 of the RFP.</p> <p>10.2 The Technical Proposal shall not include any price or financial information. A Technical Proposal containing material financial information may be declared non-responsive.</p> <p>10.3 Samples of items, when required as per Section 5, shall be provided within the time specified and unless otherwise specified by UNDP, and at no expense to UNDP</p> <p>10.4 When applicable and required as per Section 5, the Bidder shall describe the necessary training programme available for the maintenance and operation of the services and/or equipment offered as well as the cost to the UNDP. Unless otherwise specified, such training as well as training materials shall be provided in the language of the Bid as specified in the BDS.</p>
11. Financial Proposals	<p>11.1 The Financial Proposal shall be prepared using the Standard Form provided in Section 6 of the RFP. It shall list all major cost components associated with the services, and the detailed breakdown of such costs.</p> <p>11.2 Any output and activities described in the Technical Proposal but not priced in the Financial Proposal, shall be assumed to be included in the prices of other activities or items, as well as in the final total price.</p> <p>11.3 Prices and other financial information must not be disclosed in any other place except in the financial proposal.</p>
12. Proposal Security	<p>12.1 A Proposal Security, if required by BDS, shall be provided in the amount and form indicated in the BDS. The Proposal Security shall be valid up to thirty (30) days after the final date of validity of the Proposal.</p> <p>12.2 The Proposal Security shall be included along with the Technical Proposal. If Proposal Security is required by the RFP but is not found along with the Technical Proposal, the Proposal shall be rejected.</p> <p>12.3 If the Proposal Security amount or its validity period is found to be less than what is required by UNDP, UNDP shall reject the Proposal.</p> <p>12.4 In the event an electronic submission is allowed in the BDS, Bidders shall include a copy of the Bid Security in their proposal and the original of the Proposal Security must be sent via courier or hand delivery as per the instructions in BDS.</p> <p>12.5 The Proposal Security may be forfeited by UNDP, and the Proposal rejected, in the event of any one or combination, of the following conditions:</p> <ul style="list-style-type: none"> a) If the Bidder withdraws its offer during the period of the Proposal Validity specified in the BDS, or; b) In the event that the successful Bidder fails:

	<p>i. to sign the Contract after UNDP has issued an award; or</p> <p>12.6 to furnish the Performance Security, insurances, or other documents that UNDP may require as a condition precedent to the effectivity of the contract that may be awarded to the Bidder.</p>
13. Currencies	<p>13.1 All prices shall be quoted in the currency or currencies indicated in the BDS. Where Proposals are quoted in different currencies, for the purposes of comparison of all Proposals:</p> <p>a) UNDP will convert the currency quoted in the Proposal into the UNDP preferred currency, in accordance with the prevailing UN operational rate of exchange on the last day of submission of Proposals; and</p> <p>b) In the event that UNDP selects a proposal for award that is quoted in a currency different from the preferred currency in the BDS, UNDP shall reserve the right to award the contract in the currency of UNDP's preference, using the conversion method specified above.</p>
14. Joint Venture, Consortium or Association	<p>14.1 If the Bidder is a group of legal entities that will form or have formed a Joint Venture (JV), Consortium or Association for the Proposal, they shall confirm in their Proposal that : (i) they have designated one party to act as a lead entity, duly vested with authority to legally bind the members of the JV, Consortium or Association jointly and severally, which shall be evidenced by a duly notarized Agreement among the legal entities, and submitted with the Proposal; and (ii) if they are awarded the contract, the contract shall be entered into, by and between UNDP and the designated lead entity, who shall be acting for and on behalf of all the member entities comprising the joint venture.</p> <p>14.2 After the Deadline for Submission of Proposal, the lead entity identified to represent the JV, Consortium or Association shall not be altered without the prior written consent of UNDP.</p> <p>14.3 The lead entity and the member entities of the JV, Consortium or Association shall abide by the provisions of Clause 9 herein in respect of submitting only one proposal.</p> <p>14.4 The description of the organization of the JV, Consortium or Association must clearly define the expected role of each of the entity in the joint venture in delivering the requirements of the RFP, both in the Proposal and the JV, Consortium or Association Agreement. All entities that comprise the JV, Consortium or Association shall be subject to the eligibility and qualification assessment by UNDP.</p> <p>14.5 A JV, Consortium or Association in presenting its track record and experience should clearly differentiate between:</p> <p>a) Those that were undertaken together by the JV, Consortium or Association; and</p> <p>b) Those that were undertaken by the individual entities of the JV, Consortium or Association.</p> <p>14.6 Previous contracts completed by individual experts working privately but who are permanently or were temporarily associated with any of the member firms cannot be claimed as the experience of the JV, Consortium or Association or those of its members, but should only be claimed by the individual experts themselves in their presentation of their individual credentials.</p> <p>14.7 JV, Consortium or Associations are encouraged for high value, multi-sectoral requirements when the spectrum of expertise and resources required may not be available within one firm.</p>

<p>15. Only One Proposal</p>	<p>15.1 The Bidder (including the individual members of any Joint Venture) shall submit only one Proposal, either in its own name or as part of a Joint Venture.</p> <p>15.2 Proposals submitted by two (2) or more Bidders shall all be rejected if they are found to have any of the following:</p> <ul style="list-style-type: none"> a) they have at least one controlling partner, director or shareholder in common; or b) any one of them receive or have received any direct or indirect subsidy from the other/s; or c) they have the same legal representative for purposes of this RFP; or d) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about, or influence on the Proposal of, another Bidder regarding this RFP process; e) they are subcontractors to each other's Proposal, or a subcontractor to one Proposal also submits another Proposal under its name as lead Bidder; or f) some key personnel proposed to be in the team of one Bidder participates in more than one Proposal received for this RFP process. This condition relating to the personnel, does not apply to subcontractors being included in more than one Proposal.
<p>16. Proposal Validity Period</p>	<p>16.1 Proposals shall remain valid for the period specified in the BDS, commencing on the Deadline for Submission of Proposals. A Proposal valid for a shorter period may be rejected by UNDP and rendered non-responsive.</p> <p>16.2 During the Proposal validity period, the Bidder shall maintain its original Proposal without any change, including the availability of the Key Personnel, the proposed rates and the total price.</p>
<p>17. Extension of Proposal Validity Period</p>	<p>17.1 In exceptional circumstances, prior to the expiration of the proposal validity period, UNDP may request Bidders to extend the period of validity of their Proposals. The request and the responses shall be made in writing, and shall be considered integral to the Proposal.</p> <p>17.2 If the Bidder agrees to extend the validity of its Proposal, it shall be done without any change in the original Proposal.</p> <p>17.3 The Bidder has the right to refuse to extend the validity of its Proposal, and in which case, such Proposal will not be further evaluated.</p>
<p>18. Clarification of Proposal</p>	<p>18.1 Bidders may request clarifications on any of the RFP documents no later than the date indicated in the BDS. Any request for clarification must be sent in writing in the manner indicated in the BDS. If inquiries are sent other than specified channel, even if they are sent to a UNDP staff member, UNDP shall have no obligation to respond or confirm that the query was officially received.</p> <p>18.2 UNDP will provide the responses to clarifications through the method specified in the BDS.</p> <p>18.3 UNDP shall endeavor to provide responses to clarifications in an expeditious manner, but any delay in such response shall not cause an obligation on the part of UNDP to extend the submission date of the Proposals, unless UNDP deems that such an extension is justified and necessary.</p>
<p>19. Amendment of Proposals</p>	<p>19.1 At any time prior to the deadline of Proposal submission, UNDP may for any reason, such as in response to a clarification requested by a Bidder, modify the RFP in the form of an amendment to the RFP. Amendments will be made available to all prospective bidders.</p>

	19.2 If the amendment is substantial, UNDP may extend the Deadline for submission of proposal to give the Bidders reasonable time to incorporate the amendment into their Proposals.
20. Alternative Proposals	<p>20.1 Unless otherwise specified in the BDS, alternative proposals shall not be considered. If submission of alternative proposal is allowed by BDS, a Bidder may submit an alternative proposal, but only if it also submits a proposal conforming to the RFP requirements. UNDP shall only consider the alternative proposal offered by the Bidder whose conforming proposal ranked the highest as per the specified evaluation method. Where the conditions for its acceptance are met, or justifications are clearly established, UNDP reserves the right to award a contract based on an alternative proposal.</p> <p>20.2 If multiple/alternative proposals are being submitted, they must be clearly marked as "Main Proposal" and "Alternative Proposal"</p>
21. Pre-Bid Conference	21.1 When appropriate, a Bidder's conference will be conducted at the date, time and location specified in the BDS. All Bidders are encouraged to attend. Non-attendance, however, shall not result in disqualification of an interested Bidder. Minutes of the Bidder's conference will be disseminated on the procurement website and shared by email or on the e-Tendering platform as specified in the BDS. No verbal statement made during the conference shall modify the terms and conditions of the RFP, unless specifically incorporated in the Minutes of the Bidder's Conference or issued/posted as an amendment to RFP.
C. SUBMISSION AND OPENING OF PROPOSALS	
22. Submission	<p>22.1 The Bidder shall submit a duly signed and complete Proposal comprising the documents and forms in accordance with the requirements in the BDS. The submission shall be in the manner specified in the BDS.</p> <p>22.2 The Proposal shall be signed by the Bidder or person(s) duly authorized to commit the Bidder. The authorization shall be communicated through a document evidencing such authorization issued by the legal representative of the bidding entity, or a Power of Attorney, accompanying the Proposal.</p> <p>22.3 Bidders must be aware that the mere act of submission of a Proposal, in and of itself, implies that the Bidder fully accepts the UNDP General Contract Terms and Conditions.</p>
Hard copy (manual) submission	<p>22.4 Hard copy (manual) submission by courier or hand delivery allowed or specified in the BDS shall be governed as follows:</p> <ul style="list-style-type: none"> a) The signed Proposal shall be marked "Original", and its copies marked "Copy" as appropriate. The number of copies is indicated in the BDS. All copies shall be made from the signed original only. If there are discrepancies between the original and the copies, the original shall prevail. b) The Technical Proposal and the Financial Proposal envelopes MUST BE COMPLETELY SEPARATE and each of them must be submitted sealed individually and clearly marked on the outside as either "TECHNICAL PROPOSAL" or "FINANCIAL PROPOSAL", as appropriate. Each envelope SHALL clearly indicate the name of the Bidder. The outer envelopes shall: <ul style="list-style-type: none"> i. Bear the name and address of the bidder; ii. Be addressed to UNDP as specified in the BDS

	<p>iii. Bear a warning that states <i>"Not to be opened before the time and date for proposal opening"</i> as specified in the BDS.</p> <p>If the envelopes and packages with the Proposal are not sealed and marked as required, UNDP shall assume no responsibility for the misplacement, loss, or premature opening of the Proposal.</p> <p>Email Submission</p> <p>22.5 Email submission, if allowed or specified in the BDS, shall be governed as follows:</p> <ul style="list-style-type: none"> a) Electronic files that form part of the proposal must be in accordance with the format and requirements indicated in BDS; b) The Technical Proposal and the Financial Proposal files MUST BE COMPLETELY SEPARATE. The financial proposal shall be encrypted with different passwords and clearly labelled. The files must be sent to the dedicated email address specified in the BDS. c) The password for opening the Financial Proposal should be provided only upon request of UNDP. UNDP will request password only from bidders whose Technical Proposal has been found to be technically responsive. Failure to provide correct password may result in the proposal being rejected. <p>eTendering submission</p> <p>22.6 Electronic submission through eTendering, if allowed or specified in the BDS, shall be governed as follows:</p> <ul style="list-style-type: none"> a) Electronic files that form part of the proposal must be in accordance with the format and requirements indicated in BDS; b) The Technical Proposal and the Financial Proposal files MUST BE COMPLETELY SEPARATE and each of them must be uploaded individually and clearly labelled. d) The Financial Proposal file must be encrypted with a password so that it cannot be opened nor viewed until the password is provided. The password for opening the Financial Proposal should be provided only upon request of UNDP. UNDP will request password only from bidders whose technical proposal has been found to be technically responsive. Failure to provide the correct password may result in the proposal being rejected. c) Documents which are required to be in original form (e.g. Bid Security, etc.) must be sent via courier or hand delivery as per the instructions in BDS. d) Detailed instructions on how to submit, modify or cancel a bid in the eTendering system are provided in the eTendering system Bidder User Guide and Instructional videos available on this link: http://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notices/resources/
<p>23. Deadline for Submission of Proposals and Late Proposals</p>	<p>23.1 Complete Proposals must be received by UNDP in the manner, and no later than the date and time, specified in the BDS. UNDP shall only recognize the date and time that the bid was received by UNDP</p> <p>23.2 UNDP shall not consider any Proposal that is submitted after the deadline for the submission of Proposals.</p>
<p>24. Withdrawal, Substitution, and Modification of Proposals</p>	<p>24.1 A Bidder may withdraw, substitute or modify its Proposal after it has been submitted at any time prior to the deadline for submission.</p> <p>24.2 Manual and Email submissions: A bidder may withdraw, substitute or modify its Proposal by sending a written notice to UNDP, duly signed by an authorized representative, and shall include a copy of the authorization (or a Power of</p>

	<p>Attorney). The corresponding substitution or modification of the Proposal, if any, must accompany the respective written notice. All notices must be submitted in the same manner as specified for submission of proposals, by clearly marking them as "WITHDRAWAL," "SUBSTITUTION," or "MODIFICATION"</p> <p>24.3 eTendering: A Bidder may withdraw, substitute or modify its Proposal by Canceling, Editing, and re-submitting the proposal directly in the system. It is the responsibility of the Bidder to properly follow the system instructions, duly edit and submit a substitution or modification of the Proposal as needed. Detailed instructions on how to cancel or modify a Proposal directly in the system are provided in Bidder User Guide and Instructional videos.</p> <p>24.4 Proposals requested to be withdrawn shall be returned unopened to the Bidders (only for manual submissions), except if the bid is withdrawn after the bid has been opened</p>
25. Proposal Opening	<p>25.1 There is no public bid opening for RFPs. UNDP shall open the Proposals in the presence of an ad-hoc committee formed by UNDP, consisting of at least two (2) members. In the case of e-Tendering submission, bidders will receive an automatic notification once their proposal is opened.</p>
D. EVALUATION OF PROPOSALS	
26. Confidentiality	<p>26.1 Information relating to the examination, evaluation, and comparison of Proposals, and the recommendation of contract award, shall not be disclosed to Bidders or any other persons not officially concerned with such process, even after publication of the contract award.</p> <p>26.2 Any effort by a Bidder or anyone on behalf of the Bidder to influence UNDP in the examination, evaluation and comparison of the Proposals or contract award decisions may, at UNDP's decision, result in the rejection of its Proposal and may be subject to the application of prevailing UNDP's vendor sanctions procedures.</p>
27. Evaluation of Proposals	<p>27.1 The Bidder is not permitted to alter or modify its Proposal in any way after the proposal submission deadline except as permitted under Clause 24 of this RFP. UNDP will conduct the evaluation solely on the basis of the submitted Technical and Financial Proposals.</p> <p>27.2 Evaluation of proposals is made of the following steps:</p> <ol style="list-style-type: none"> Preliminary Examination Minimum Eligibility and Qualification (if pre-qualification is not done) Evaluation of Technical Proposals Evaluation of Financial Proposals
28. Preliminary Examination	<p>28.1 UNDP shall examine the Proposals to determine whether they are complete with respect to minimum documentary requirements, whether the documents have been properly signed, and whether the Proposals are generally in order, among other indicators that may be used at this stage. UNDP reserves the right to reject any Proposal at this stage.</p>
29. Evaluation of Eligibility and Qualification	<p>29.1 Eligibility and Qualification of the Bidder will be evaluated against the Minimum Eligibility/Qualification requirements specified in the Section 4 (Evaluation Criteria).</p> <p>29.2 In general terms, vendors that meet the following criteria may be considered qualified:</p> <ol style="list-style-type: none"> They are not included in the UN Security Council 1267/1989 Committee's list of terrorists and terrorist financiers, and in UNDP's ineligible vendors' list; They have a good financial standing and have access to adequate financial

	<p>resources to perform the contract and all existing commercial commitments,</p> <ul style="list-style-type: none"> c) They have the necessary similar experience, technical expertise, production capacity where applicable, quality certifications, quality assurance procedures and other resources applicable to the provision of the services required; d) They are able to comply fully with UNDP General Terms and Conditions of Contract; e) They do not have a consistent history of court/arbitral award decisions against the Bidder; and f) They have a record of timely and satisfactory performance with their clients.
30. Evaluation of Technical and Financial Proposals	<p>30.1 The evaluation team shall review and evaluate the Technical Proposals on the basis of their responsiveness to the Terms of Reference and other RFP documents, applying the evaluation criteria, sub-criteria, and point system specified in the Section 4 (Evaluation Criteria). A Proposal shall be rendered non-responsive at the technical evaluation stage if it fails to achieve the minimum technical score indicated in the BDS. When necessary and if stated in the BDS, UNDP may invite technically responsive bidders for a presentation related to their technical proposals. The conditions for the presentation shall be provided in the bid document where required.</p> <p>30.2 In the second stage, only the Financial Proposals of those Bidders who achieve the minimum technical score will be opened for evaluation. The Financial Proposals corresponding to Technical Proposals that were rendered non-responsive shall remain unopened, and, in the case of manual submission, be returned to the Bidder unopened. For emailed Proposals and e-tendering submissions, UNDP will not request for the password of the Financial Proposals of bidders whose Technical Proposal were found not responsive.</p> <p>30.3 The evaluation method that applies for this RFP shall be as indicated in the BDS, which may be either of two (2) possible methods, as follows: (a) the lowest priced method which selects the lowest evaluated financial proposal of the technically responsive Bidders; or (b) the combined scoring method which will be based on a combination of the technical and financial score.</p> <p>30.4 When the BDS specifies a combined scoring method, the formula for the rating of the Proposals will be as follows:</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p><u>Rating the Technical Proposal (TP):</u></p> <p>TP Rating = (Total Score Obtained by the Offer / Max. Obtainable Score for TP) x 100</p> <p><u>Rating the Financial Proposal (FP):</u></p> <p>FP Rating = (Lowest Priced Offer / Price of the Offer Being Reviewed) x 100</p> <p><u>Total Combined Score:</u></p> <p>Combined Score = (TP Rating) x (Weight of TP, e.g. 70%) + (FP Rating) x (Weight of FP, e.g., 30%)</p> </div>
31. Due Diligence	<p>31.1 UNDP reserves the right to undertake a due diligence exercise, also called post qualification, aimed at determining to its satisfaction, the validity of the information provided by the Bidder. Such exercise shall be fully documented and may include, but need not be limited to, all or any combination of the</p>

	<p>following:</p> <ul style="list-style-type: none"> a) Verification of accuracy, correctness and authenticity of information provided by the Bidder; b) Validation of extent of compliance to the RFP requirements and evaluation criteria based on what has so far been found by the evaluation team; c) Inquiry and reference checking with Government entities with jurisdiction on the Bidder, or with previous clients, or any other entity that may have done business with the Bidder; d) Inquiry and reference checking with previous clients on the performance on on-going or contracts completed, including physical inspections of previous works, as necessary; e) Physical inspection of the Bidder's offices, branches or other places where business transpires, with or without notice to the Bidder; f) Other means that UNDP may deem appropriate, at any stage within the selection process, prior to awarding the contract.
32. Clarification of Proposals	<p>32.1 To assist in the examination, evaluation and comparison of Proposals, UNDP may, at its discretion, ask any Bidder for a clarification of its Proposal.</p> <p>32.2 UNDP's request for clarification and the response shall be in writing and no change in the prices or substance of the Proposal shall be sought, offered, or permitted, except to provide clarification, and confirm the correction of any arithmetic errors discovered by UNDP in the evaluation of the Proposals, in accordance with RFP.</p> <p>32.3 Any unsolicited clarification submitted by a Bidder in respect to its Proposal, which is not a response to a request by UNDP, shall not be considered during the review and evaluation of the Proposals.</p>
33. Responsiveness of Proposal	<p>33.1 UNDP's determination of a Proposal's responsiveness will be based on the contents of the Proposal itself. A substantially responsive Proposal is one that conforms to all the terms, conditions, TOR and other requirements of the RFP without material deviation, reservation, or omission.</p> <p>33.2 If a Proposal is not substantially responsive, it shall be rejected by UNDP and may not subsequently be made responsive by the Bidder by correction of the material deviation, reservation, or omission.</p>
34. Nonconformities, Repairable Errors and Omissions	<p>34.1 Provided that a Proposal is substantially responsive, UNDP may waive any non-conformities or omissions in the Proposal that, in the opinion of UNDP, do not constitute a material deviation.</p> <p>34.2 UNDP may request the Bidder to submit the necessary information or documentation, within a reasonable period of time, to rectify nonmaterial nonconformities or omissions in the Proposal related to documentation requirements. Such omission shall not be related to any aspect of the price of the Proposal. Failure of the Bidder to comply with the request may result in the rejection of its Proposal.</p> <p>34.3 For Financial Proposal that has been opened, UNDP shall check and correct arithmetical errors as follows:</p> <ul style="list-style-type: none"> a) if there is a discrepancy between the unit price and the line item total that is obtained by multiplying the unit price by the quantity, the unit price shall prevail and the line item total shall be corrected, unless in the opinion of UNDP there is an obvious misplacement of the decimal point in the unit price; in which case the line item total as quoted shall govern and the unit price shall be corrected; b) if there is an error in a total corresponding to the addition or subtraction

	<p>of subtotals, the subtotals shall prevail and the total shall be corrected; and</p> <p>c) if there is a discrepancy between words and figures, the amount in words shall prevail, unless the amount expressed in words is related to an arithmetic error, in which case the amount in figures shall prevail.</p> <p>34.4 If the Bidder does not accept the correction of errors made by UNDP, its Proposal shall be rejected.</p>
E. AWARD OF CONTRACT	
35. Right to Accept, Reject, Any or All Proposals	35.1 UNDP reserves the right to accept or reject any Proposal, to render any or all of the Proposals as non-responsive, and to reject all Proposals at any time prior to award of contract, without incurring any liability, or obligation to inform the affected Bidder(s) of the grounds for UNDP's action. UNDP shall not be obliged to award the contract to the lowest priced offer.
36. Award Criteria	36.1 Prior to expiration of the proposal validity, UNDP shall award the contract to the qualified Bidder based on the award criteria indicated in the BDS.
37. Debriefing	37.1 In the event that a Bidder is unsuccessful, the Bidder may request a debriefing from UNDP. The purpose of the debriefing is to discuss the strengths and weaknesses of the Bidder's submission, in order to assist the Bidder in improving its future proposals for UNDP procurement opportunities. The content of other proposals and how they compare to the Bidder's submission shall not be discussed.
38. Right to Vary Requirements at the Time of Award	38.1 At the time of award of Contract, UNDP reserves the right to vary the quantity of services and/or goods, by up to a maximum twenty-five per cent (25%) of the total offer, without any change in the unit price or other terms and conditions.
39. Contract Signature	39.1 Within fifteen (15) days from the date of receipt of the Contract, the successful Bidder shall sign and date the Contract and return it to UNDP. Failure to do so may constitute sufficient grounds for the annulment of the award, and forfeiture of the Proposal Security, if any, and on which event, UNDP may award the Contract to the Second Ranked Bidder or call for new Proposals.
40. Contract Type and General Terms and Conditions	40.1 The types of Contract to be signed and the applicable UNDP Contract General Terms and Conditions, as specified in BDS, can be accessed at http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html
41. Performance Security	41.1 40.1 A performance security, if required in BDS, shall be provided in the amount specified in BDS and form available at https://popp.undp.org/layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP_DOCUMENT_LIBRARY/Public/PSU_Solicitation_Performance%20Guarantee%20Form.docx&action=default within fifteen (15) days of the contract signature by both parties. Where a performance security is required, the receipt of the performance security by UNDP shall be a condition for rendering the contract effective.
42. Bank Guarantee for Advanced Payment	42.1 Except when the interests of UNDP so require, it is UNDP's preference to make no advance payment(s) (i.e., payments without having received any outputs). If an advance payment is allowed as per BDS, and exceeds 20% of the total contract price, or USD 30,000, whichever is less, the Bidder shall submit a Bank Guarantee in the full amount of the advance payment in the form available at

	https://popp.undp.org/_layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP_DOCUMENT_LIBRARY/Public/PSU_Contract%20Management%20Payment%20and%20Taxes_Advanced%20Payment%20Guarantee%20Form.docx&action=default
43. Liquidated Damages	<p>43.1 If specified in BDS, UNDP shall apply Liquidated Damages resulting from the Contractor's delays or breach of its obligations as per the Contract.</p>
44. Payment Provisions	<p>44.1 Payment will be made only upon UNDP's acceptance of the work performed. The terms of payment shall be within thirty (30) days, after receipt of invoice and certification of acceptance of work issued by the proper authority in UNDP with direct supervision of the Contractor. Payment will be effected by bank transfer in the currency of contract.</p>
45. Vendor Protest	<p>45.1 UNDP's vendor protest procedure provides an opportunity for appeal to those persons or firms not awarded a contract through a competitive procurement process. In the event that a Bidder believes that it was not treated fairly, the following link provides further details regarding UNDP vendor protest procedures:</p> <p>http://www.undp.org/content/undp/en/home/operations/procurement/business/protest-and-sanctions.html</p>
46. Other Provisions	<p>46.1 In the event that the Bidder offers a lower price to the host Government (e.g. General Services Administration (GSA) of the federal government of the United States of America) for similar services, UNDP shall be entitled to same lower price. The UNDP General Terms and Conditions shall have precedence.</p> <p>46.2 UNDP is entitled to receive the same pricing offered by the same Contractor in contracts with the United Nations and/or its Agencies. The UNDP General Terms and Conditions shall have precedence.</p> <p>46.3 The United Nations has established restrictions on employment of (former) UN staff who have been involved in the procurement process as per bulletin ST/SGB/2006/15</p> <p>http://www.un.org/en/ga/search/view_doc.asp?symbol=ST/SGB/2006/15&referer</p>

Section 3. Bid Data Sheet

The following data for the services to be procured shall complement, supplement, or amend the provisions in the Request for Proposals. In the case of a conflict between the Instructions to Bidders, the Data Sheet, and other annexes or references attached to the Data Sheet, the provisions in the Data Sheet shall prevail.

BDS No.	Ref. to Section.2	Data	Specific Instructions / Requirements
1	7	Language of the Proposal	English or Portuguese
2		Submitting Proposals for Parts or sub-parts of the TOR (partial bids)	Not Allowed
3	20	Alternative Proposals	Shall not be considered
4	21	Pre-proposal conference	Will not be conducted
5	10	Proposal Validity Period	90 days
6	14	Bid Security	Not Required
7	41	Advanced Payment upon signing of contract	Allowed up to a maximum of 10% of contract value
8	42	Liquidated Damages	Will be imposed as follows: Percentage of contract price per day of delay: 0.3% Max. number of days of delay 10, after which UNDP may terminate the contract.
9	40	Performance Security	Not Required
10	18	Currency of Proposal	United States Dollar or Meticals
11	31	Deadline for submitting requests for clarifications/ questions	2 days before the submission deadline
12	31	Contact Details for submitting clarifications/questions	E-mail address: procurement.mozambique@undp.org

13	18, 19 and 21	Manner of Disseminating Supplemental Information to the RFP and responses/clarifications to queries	<p>Direct communication to prospective Proposers by email and Posting on the website: http://procurement-notice.undp.org/</p> <p>Email: procurement.mozambique@undp.org for clarifications</p>
14	23	Deadline for Submission	September 12, 2019 04:30 PM Mozambique, Maputo, local time.
14	22	Allowable Manner of Submitting Proposals	<p><input checked="" type="checkbox"/> Courier/Hand Delivery</p> <p>Technical and Financial Proposals should be in separate envelopes indicating reference below: RFP003_2019 Baseline Study on Access to Justice in Mozambique 2015_2019 Original Technical Proposal: one (1) Original Financial Proposal: one (1)</p> <p>Copies: (1) Hard Copy and (1) soft copy on CD/DVD (when submitted in hard copy) Submissions must be identical and include all required documents. In the event of any discrepancies the "original proposal" submitted in hard copy shall govern.</p> <p><input checked="" type="checkbox"/> Submission by email</p>
15	22	Proposal Submission Address	<p>For hard copies</p> <p>Tender Box located at: RFP003_2019 Baseline Study on Access to Justice in Mozambique 2015_2019 UNDP Mozambique Av. Kenneth Kaunda 921/931 <u>Maputo – Mozambique</u></p> <p>For electronic submission</p> <p>E-mail address: bidsubmission.mz@undp.org</p>
16	22	Electronic submission (email or eTendering) requirements	<ul style="list-style-type: none"> Format: PDF files only and additional copy of Bill of Quantities in excel format. File names must be maximum 60 characters long and must not contain any letter or special character other than from Latin alphabet/keyboard. All files must be free of viruses and not corrupted. Password for technical proposal <u>must</u> not be provided to UNDP until the date as indicated in No. 14 (<i>for email submission only</i>) Password for financial proposal <u>must</u> not be provided to UNDP until requested by UNDP Max. File Size per transmission: 10Mb

			<ul style="list-style-type: none"> ▪ Mandatory subject of email: UNDP MOZ RFP 003_2019 Baseline Study on Access to Justice in Mozambique 2015_2019 ▪ Documents which are required in original (e.g. Bid Security) should be sent to the below address with a PDF copy submitted as part of the electronic submission: ▪ UNDP Mozambique (Av. Kenneth Kaunda 921/931 – Maputo – Mozambique. ▪ Note that there is no restriction to number of files to be transmitted. Offers can be divided in several files provided if each of them are smaller than 10 Mb and that they are all received in the above stated email address before ▪ <input checked="" type="checkbox"/> No. of copies to be transmitted: 1
17	27 36	Evaluation Method for the Award of Contract	<p>Combined Scoring Method, using the 70%-30% distribution for technical and financial proposals respectively</p> <p>The minimum technical score required to pass is 70%.</p>
18		Expected date for commencement of Contract	<i>September 16, 2019</i>
19		Maximum expected duration of contract	90 days
20	35	UNDP will award the contract to:	One Proposer Only
21	39	Type of Contract	<p>Purchase Order And Professional Service Contract</p> <p>http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html</p>
22	39	UNDP Contract Terms and Conditions that will apply	<p>UNDP General Terms and Conditions for Professional Services</p> <p>http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html</p>
23		Other Information Related to the RFP	<i>[All other instructions and information not yet mentioned so far in this Data Sheet but are relevant to the RFP must be cited here, and any further entries that may be added below this table row]</i>

Section 4. Evaluation Criteria

Preliminary Examination Criteria

Proposals will be examined to determine whether they are complete and submitted in accordance with RFP requirements as per below criteria on a Yes/No basis:

- Appropriate signatures
- Power of Attorney
- Minimum documents provided
- Technical and Financial Proposals submitted separately
- Bid Validity
- Bid Security submitted as per RFP requirements with compliant validity period

Minimum Eligibility and Qualification Criteria

Eligibility and Qualification will be evaluated on Pass/Fail basis.

If the Proposal is submitted as a Joint Venture/Consortium/Association, each member should meet minimum criteria, unless otherwise specified in the criterion.

Subject	Criteria	Document Submission requirement
ELIGIBILITY		
Legal Status	Vendor is a legally registered entity.	Form B: Bidder Information Form
Eligibility	Vendor is not suspended, nor debarred, nor otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization in accordance with ITB clause 3.	Form A: Technical Proposal Submission Form
Conflict of Interest	No conflicts of interest in accordance with ITB clause 4.	Form A: Technical Proposal Submission Form
Bankruptcy	Not declared bankruptcy, not involved in bankruptcy or receivership proceedings, and there is no judgment or pending legal action against the vendor that could impair its operations in the foreseeable future.	Form A: Technical Proposal Submission Form
QUALIFICATION		
History of Non-Performing Contracts¹	Non-performance of a contract did not occur as a result of contractor default for the last 3 years.	Form D: Qualification Form
Litigation History	No consistent history of court/arbitral award decisions against the Bidder for the last 3 years.	Form D: Qualification Form

¹ Non-performance, as decided by UNDP, shall include all contracts where (a) non-performance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and (b) contracts that were so challenged but fully settled against the contractor. Non-performance shall not include contracts where Employers decision was overruled by the dispute resolution mechanism. Non-performance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the Bidder have been exhausted.

Previous Experience	Minimum 10 years of proven experience conducting quantitative and qualitative research.	Form D: Qualification Form
	Minimum 10 years of relevant experience in the field of Law, especially in access to justice and human rights. <i>(For JV/Consortium/Association, all Parties cumulatively should meet requirement).</i>	Form D: Qualification Form
	Minimum of 10 years of experience leading research teams	Form D: Qualification Form
Financial Standing	Minimum average annual turnover of USD150,000 for the last 3 years. <i>(For JV/Consortium/Association, all Parties cumulatively should meet requirement).</i>	Form D: Qualification Form
	Bidder must demonstrate the current soundness of its financial standing and indicate its prospective long-term profitability. <i>(For JV/Consortium/Association, all Parties cumulatively should meet requirement).</i>	Form D: Qualification Form
	Any additional criteria if required	

Technical Evaluation Criteria

Summary of Technical Proposal Evaluation Forms		Points Obtainable
1.	Bidder's qualification, capacity and experience	300
2.	Proposed Methodology, Approach and Implementation Plan	300
3.	Management Structure and Key Personnel	400
	Total	1000

Section 1. Bidder's qualification, capacity and experience		Points obtainable
1.1	Reputation of Organization and Staff Credibility / Reliability / Industry Standing	50
1.2	General Organizational Capability which is likely to affect implementation: management structure, financial stability and project financing capacity, project management controls, extent to which any work would be subcontracted	90
1.3	Relevance of specialized knowledge and experience on similar engagements done in the region/country	70
1.4	Quality assurance procedures and risk mitigation measures	60
1.5	Organizational Commitment to Sustainability (mandatory weight) -Organization is compliant with ISO 14001 or ISO 14064 or equivalent – 20 points -Organization is a member of the UN Global Compact -5 points -Organization demonstrates significant commitment to sustainability through some other means- 5 points, for example internal company policy documents on women empowerment, renewable energies or membership of trade institutions promoting such issues	30
Total Section 1		300

Section 2. Proposed Methodology, Approach and Implementation Plan		Points obtainable
2.1	Understanding of the requirement: Have the important aspects of the task been addressed in sufficient detail? Are the different components of the project adequately weighted relative to one another?	50
2.2	Description of the Offeror's approach and methodology for meeting or exceeding the requirements of the Terms of Reference	50
2.3	Details on how the different service elements shall be organized, controlled and delivered	50
2.4	Description of available performance monitoring and evaluation mechanisms and tools; how they shall be adopted and used for a specific requirement	50

2.5	Assessment of the implementation plan proposed including whether the activities are properly sequenced and if these are logical and realistic	50
2.6	Demonstration of ability to plan, integrate and effectively implement sustainability measures in the execution of the contract	50
Total Section 2		300

Section 3. Management Structure and Key Personnel			Points obtainable
3.1	Composition and structure of the team proposed. Are the proposed roles of the management and the team of key personnel suitable for the provision of the necessary services?		60
3.2	Qualifications of key personnel proposed		
3.2 a	Team Leader (Specialist in access to justice and human rights)		130
	- Master's degree in juridical sciences, law, human rights, social science, political science or related field. (PHD will be an advantage)	30	
	- Minimum 10 years of relevant experience in the field of Law, especially in access to justice and human rights	30	
	- Minimum of 10 years of proven experience conducting quantitative and qualitative research	20	
	- Minimum of 10 years of experience leading research teams	20	
	- Evidence of studies and researches previously realized in the area of justice	20	
	- Language Qualifications	10	
3.2 b	Specialist in gender and gender-based violence with cross-cutting expertise in HIV and AIDS		110
	- Bachelor's degree in social sciences, anthropology, sociology, gender studies, human rights or related fields	25	
	- Minimum of 7 years of experience in the area of gender and violence based on gender, women's rights, human rights;	25	
	- Proven knowledge of legal / judicial issues related to HIV / AIDS;	10	
	- Experience assessing and promoting initiatives to strengthen gender equality and defeat GBV;	10	
	- Proven experience in designing, monitoring and evaluating similar plans, programs or projects;	10	
	- Experience in the production of research and conducting quantitative and qualitative analysis	10	
	- Minimum of 7 years of experience in the area of gender and violence based on gender, women's rights, human rights;	10	
	- Language Qualifications	10	

3.2 c	Specialist in statistics and economics		100
	- Bachelor's degree in economics, statistics, or related field	25	
	- Minimum of 7 years relevant experience in the field of statistics and economics;	25	
	- Experience in the production of research and conducting quantitative and qualitative analysis;	10	
	- Proven experience assessing the impact of economic plans and policies;	10	
	- Proven experience in data analysis for the preparation of baseline studies;	10	
	- Proven experience with work in the areas of government institutions.	10	
	- Language Qualifications	10	
Total Section 3			400

Section 5. Terms of Reference

TERMS OF REFERENCE

Location:	Maputo, Mozambique
Application Deadline:	12 September 2019
Type of Contract:	Professional Service Contract
Languages Required:	Portuguese
Expected Duration of Assignment:	90 days
Post Title:	Consultancy - Baseline Study on Access to Justice in Mozambique 2015-2019
Agency Project Title:	Strengthening Access to Justice and the Protection of Human Rights in Mozambique 2018-2021

1. BACKGROUND

In Mozambique, women and girls between 10 and 24 years old are regularly subjected to physical and sexual violence and early sexual initiation, leading to high levels of early marriage, early pregnancy and HIV and AIDS. It was in this context that Mozambique joined the Spotlight Initiative, a Global Program resulting from a partnership between the European Union and the United Nations which aims at contributing to the achievement of the Sustainable Development Goals (SDG) Agenda 2030, specifically SDGs 5 and 16.

In Mozambique, the program was launched on 8 March 2019 and is implemented in collaboration with the Government, namely the main sectors of implementation of the Multisectorial Mechanism of Response to Gender-Based Violence, namely, the Ministry of Gender (Including INAS), Ministry of Health, Ministry of Justice, Constitutional and Religious Affairs (including the Instituto Do Patrocínio E Assistência Jurídica - IPAJ - and the CFJJ), and the Ministry of Interior.

Other sectors involved are the Ministry of Economy and Finance (including the INE), Ministry of Education and Human Development (MINEDH), Ministry of Science, Technology and Higher Education (including INEP and Universities), Ministry of Culture, Ministry of Youth, Ministry of Communication and Transport (including ICS, TVM, RM).

Various NGOs will be also partnering to the program through the National Reference Group of the Civil Society. Other relevant State Non-Governmental Institutions are: The Parliament, the Ombudsman's Office, the Supreme Court, the Attorney General's Office, the Supreme Council of Magistrates, other Legal Entities (IPAJ), Lawyers, Family and Juvenile Courts.

To challenge the phenomena VAWG (violence against women and girls), the the United Nations (UN) and the European Union (EU) have embarked the Spotlight Initiative. The Spotlight initiative is a global a joint multi-year program which aims at eliminating all forms of violence against women and girls. The focus of this initiative is to contribute to a country where all women and girls are free from all forms of gender-based sexual violence (SGBV) and harmful practices so that they can enjoy sexual and reproductive health and rights.

The main focus areas of the Spotlight Initiative are:

- Preventing Gender-Based Sexual Violence;
- Preventing Premature Marriages;
- Adolescents and young women (10-24);
- Sexual and reproductive health rights (DSSR);
- Transformative prevention and integrated response.

In Mozambique, the program is being implemented at the central level and in three selected provinces, namely Gaza, Manica and Nampula because - for the Mozambican program - they offer opportunities to involve population at greater risk on a significant scale. The following districts were identified by province:

- Nampula: Angoche, Mogovolas, Moma and Nampula City (provincial capital)
- Manica: Mossurize (border district); Tambara and Chimoio (capital of the province, with focus on Gondola), and
- Gaza: Chongoene, Chicualacuala (border district) and Xai-Xai (provincial capital).

The main strategic results expected with the implementation of the Spotlight Initiative in Mozambique is to catalyze and strengthen multisectoral responses to put an end to one of the most widespread violations of human rights in the world, specifically: (i) strengthening the legislative framework and policies; (ii) building gender-sensitive state institutions; (iii) supporting evidence-based prevention programs to promote gender-equitable social norms, attitudes and behaviors; (iv) ensuring essential and quality services for victims; (v) eliminating gaps in relation to the lack of data; (vi) and strengthening women's rights groups and civil society organizations working for change.

Consistency with existing programs: Synergies and complementarities with existing and new relevant programs will be developed to implement this initiative, especially to avoid duplication of activities and transaction costs for Implementing Partners.

2. INTRODUCTION

Access to justice and law is a basic principle of the rule of law as well as a right recognized under the main international and regional human rights instruments. As a guarantee of the effectiveness of individual and collective rights and the rule of law, the Government of Mozambique considers access to justice and law a fundamental right recognized by the Constitution of the Republic of Mozambique (CRM), and is committed to protecting access justice and to ensure its protection through the various political and regulatory instruments of the sector, including the Government's Five-Year Plan 2015-2019, whose strategic objective IV aims to "ensure closer and fairer justice for all, focusing on effectiveness of fundamental rights, duties and freedoms of citizens whose materialization prioritizes the need to ensure greater access of citizens to justice and law and to promote research projects on justice matters ", and the Integrated Strategic Plan of the Administration System of Justice.

Notwithstanding its importance and interventions by the Mozambican Government during the last quinquennium, access to continuing justice is an exclusive right for some and not comprehensive. Some of the problems of access to justice for the Mozambican citizen are:

- i) **Limited citizens' access to local justice services and legal aid and legal assistance services:** There is a significant gap between the demand for justice and the system's ability to meet this demand on a national scale. This is mainly linked to (i) the poor availability of human resources; ii) the significant geographical distance between the courts and large portions of the population and the predominant use of the Portuguese language in the courts, unknown to the population; iii) the inadequacy of the legal regime for exemption from court fees remains one of the main factors limiting citizens' right to access to justice.
- ii) **Weak concrete and indiscriminate judicial enforcement and cross-cutting issues:** There is weak capacity of judges, prosecutors and lawyers in the interpretation and application of national and international law and human rights standards which have important cross-cutting

ramifications for the criminal justice system. Mozambique and in the sphere of individual and social rights. Cross-cutting areas of the sector are the national response to domestic and gender-based violence and the fight against HIV / AIDS, the dominance of law enforcement and jurisprudence in these areas still weak, and the structural problem of overcrowding in the Mozambican prison system. Mozambique suffers a structural condition of overcrowding of prisons and as a result detention conditions barely meet minimum human rights standards, in particular with regard to access to water, food, medical care and sanitation, with a high coefficient of the prison population affected by HIV / AIDS. Within the scope of the Legal Reform underway in the country, the Penal Code (Law 35/2014), which establishes, among other institutes, alternative penalties to imprisonment was approved. Nevertheless, its implementation has been slow on the part of the judges. These challenges, together with the exuberance of the procedural volume for each magistrate, determine a solid stagnation of judicial execution. Moreover, the manifest judicial corruption undermines all reform efforts and the hope of an equitable justice.

- iii) **Limited availability of quality data on access to justice, especially existing justice services for the most vulnerable groups:** there is a lack of available data from the justice sector on what types of cases are reported by whom and subsequently tried; which aggravates evidence-based planning and policy-making, in particular to secure responses in the areas of interventions for women, youth, victims of gender-based violence and domestic violence, children as well as people affected by HIV / AIDS, people with disabilities and inmates among other vulnerable.

The lack of timely and relevant legal and human rights information and data for evidence-based planning and policy-making is a major problem for the development of evidence-based sectoral policies that can be monitored, evaluated and improved. There is therefore a need for further investigation into access to justice in Mozambique.

Accordingly, the MJCR intends to prepare a **Baseline Study on Citizens' Access to Justice Services 2015 – 2019**. The study will be conducted with the support of the **Project “Strengthening Access to Justice, Promotion and Human Rights Protection 2018-2021”, activity 1.2.1**. The project was launched in November 2018 and aims at strengthening access to justice and the promotion and protection of human rights with a focus on women, PLHIV, prisoners and other vulnerable groups, as well as to strengthen the capacity of lawmakers and law enforcement agents to prevent and combat gender-based violence and to deal with situations arising from stigma and discrimination associated with HIV and AIDS in Mozambique.

The baseline will contribute to the following project results:

Outcome 1: “Increased Access to Justice at national and local level, focusing on leaving no one behind”,
Output 1.2: “Strengthening Provision of Justice Services at Local Level”.

These TORs also allow, within the scope of the **Spotlight Initiative**, to implement **Activity 5.2.4: Implementing the justice sector baseline to assess the current state of justice services**.

Outcome 2: “Quality, disaggregated and globally comparable data on different forms of VSCMR, including VSBG / PN, collected, analyzed and used in accordance with international standards to inform laws, policies and programs.”

Output 2.1: “Quality data on girls and women victims of sexual violence prevalence and/or incidence, including GBV, are analyzed and made publicly available for monitoring and reporting on SDG indicators 5.2 and to inform evidence-based decision making.”

3. SCOPE OF WORK

The final foal of this consultancy is to support the MJCR in the elaboration of a baseline study on the access to justice in Mozambique, with a particular focus on the most vulnerable persons, in the period 2015-2019. This baseline study will serve as an evidence-based lobbying and advocacy tool and will inform the project as a baseline for monitoring and evaluation. This would make a major contribution to increasing access to legal

justice as well as will permit to monitor relevant developments in improving access to justice for people living with HIV-AIDS, victims of HIV/AIDS-related stigma and discrimination, access to justice for vulnerable groups, access to justice for girls and women victims of sexual and gender-based violence.

4. OBJECTIVES OF THE BASELINE STUDY

4.1 General

These Terms of Reference aim at hiring a consultancy company to carry out a base line study on access to justice in Mozambique with a view on assessing the access to justice for the Mozambique citizen, with a focus on the most vulnerable persons, in the period 2015-2019.

4.2 Specific

The study is expected to contribute to the following specific objectives:

- ✓ Determine quantitatively and qualitatively (segregated by sex, gender, and age) the current situation of access to justice in the country (women and girls, youth, people with HIV / AIDS, TB, people with disabilities and other vulnerable);
- ✓ Identify the main bottlenecks for access justice;
- ✓ Assess existing justice services for women and girls, victims of gender-based violence, youth, people with HIV / AIDS, people with disabilities, prisoners and other vulnerable people;
- ✓ Gather data on gender balance in the Sector in terms of participation of women and men in leadership positions in SAJ institutions;
- ✓ Advocate for the promotion of positive changes in the Reform of the Administration of Justice System;
- ✓ Identify actions within the sector for women's empowerment in justice administration bodies;
- ✓ Reflect on the lessons learnt from the process of implementation of previous actions to guarantee access to justice;

5. DUTIES AND RESPONSIBILITIES OF THE CONSULTANT

During the consulting period the consulting team will have the following responsibilities:

- ✓ Prepare the study schedule and work methodology;
- ✓ Work closely with the internal technical group to gather relevant documents, inform and identify key areas for study and intervention;
- ✓ Prepare questionnaires and surveys based on scientific methods;
- ✓ Propose activities, meetings and interviews to gather documentation and relevant information;
- ✓ Travel to selected provinces, districts and localities for information gathering;
- ✓ Prepare the products indicated by the ToR according to the established schedule;
- ✓ After the final product is produced, the consultant team should facilitate a presentation in targeted public forums;

6. METHODOLOGY

The methodology will comprehend a combination of quantitative and qualitative analysis and a combination of of documentary research and fieldwork:

1. **A first phase [Desk Review]** shall include:
 - i) collection of documentation, data and statistics on access to justice in the period 2015-2019;
 - ii) review of relevant literature
2. **A second phase, [Field work]:** This will be implemented through:

- i) questionnaires and interviews with justice service users to be prepared by the work team, including their understanding of available legal rights and services, and their perceptions of current services in terms of accessibility and quality;
- ii) interviews and questionnaires with law enforcement officials to echo emerging trends or issues;
- iii) consultations with target groups, namely, women, girls, youth, people with disabilities, inmates and others.

Location: The research will be conducted in the **Provinces of Nampula, Gaza, Manica, Zambézia, Tete, Cabo Delgado, Sofala, Inhambane, Maputo City and Province.**

Inquired: **Supreme Court**, Superior Courts of Appeal, Provincial and District Courts; **Attorney General's Office**, the Sub-Prosecutors General and Regional, Provinces and District Attorneys; • **Administrative Tribunal**, Provincial Administrative Courts; **MJCR**, Palaces of Justice, Provincial Directorates of the MJCR; **IPAJ**, Provincial and District Delegations of the IPAJ, **MINT**; **the Police of the Republic of Mozambique**, the Criminal Investigation Police, Provincial and District Police Commands of the Republic of Mozambique; **National Commission on Human Rights**; **Ombudsman**; **Mozambican Bar Association**, Provincial Delegations; **Provincial and Municipal Governments**; **Community Courts**; **Community authorities**; **Civil society actors**, including academics.

7. EXPECTED RESULTS

1. Created strong basis of information on access to justice
 - i) Created a baseline on the status of access to justice and law in Mozambique. Data to be segregated per:
 - a) Age
 - b) Sex
 - c) Gender
 - d) Area
 - e) Type of Cases
 - ii) Analyzed and identified current tendencies and bottlenecks for the access to justice in Mozambique with a focus on services provided for women and girls, youth and other vulnerable, including victims of GBV, people living with HIV/AIDS, people with deficiencies and inmates.
2. Produced recommendations in the area of public policy on justice:
 - i) Proposing a research agenda to understand the implications of actions to promote greater access to justice;
 - ii) Proposal for a strategy and mechanisms for democratization of access to justice for different social strata, focusing on women and youth and other vulnerable people in Mozambique;
 - iii) Promoting anti-corruption mechanisms and other negative institutional manifestations plaguing the sector;
 - iv) A final report on the study was produced containing the main reflections, experiences of good practices aimed at promoting greater access to justice and recommendations.
 - v) Proposed an investigation agenda to raise awareness of the implication of actions Analysis and identification of trends, areas and populations most in need, with particular attention to services provided to women and youth and other vulnerable persons, including victims of gender-based violence, sexual violence, persons with HIV / AIDS and persons with disabilities;

8. DELIVERABLES

1. **Inception Report** 20%
2. **Draft Report** 30%
3. **Workshop of evaluation of the Draft Report** 20%
4. **Final Report** 30%

The Consultant will provide the following final products:

Products	Submission	Review and approvals
<p>Submission of the Inception Report: This report shall briefly describe the <u>methodology, the work plan and the sources</u> the consultant have established for the assignment, programme of the execution of the work.</p> <p>The Inception Report shall be validated in a workshop facilitated by the consultant.</p> <p>(20% corresponding payment)</p>	7 days	To be reviewed and approved by the MJCR Technical Team and UNDP
<p>Submission of the Draft report: The Draft report shall contain the major preliminary findings of the <u>desk review and the field work as well as a preliminary set of recommendations</u>.</p> <p>(30% corresponding payment)</p> <p>This should be validated in a workshop for stakeholders to comment and to provide suggestions.</p> <p>(20% corresponding payment)</p>	<p>45 days</p> <p>60 days</p>	To be reviewed and approved by the MJCR Technical Team and UNDP
<p>Submission of the Final Report: This should include recommendations, suggestions and comments from UNDP and from the stakeholder's workshop.</p> <p>(30% corresponding payment)</p> <p>To be presented by the team of consultants in a cultural forum (e.g University)</p>	90 days	To be reviewed and approved by the MJCR Technical Team and UNDP.

9. DURATION OF THE ASSIGNMENT DUTY STATION AND EXPECTED PLACES OF TRAVEL

The consultancy will last for **90 days** starting from the recruitment of the consultant.

10. ELIGIBILITY CRITERIA

The team of consultants should be composed of specialists who will contribute, in an integrated, multi-disciplinary and comprehensive manner, to the elaboration of the study. As a result, the research team will be composed of **3 technical specialists**, namely:

- one (1) Team leader – Specialist in access to justice and human rights;
- one (1) Specialist in gender and gender-based violence with cross-cutting expertise in HIV and AIDS;
- one (1) Specialist in statistics and economics.

9.1. Team leader – Specialist in access to justice and human rights

Education

- Master's degree in juridical sciences, law, human rights, social science, political science or related field. (PHD will be an advantage)

Work Experience

- At least 10 years of relevant experience in the field of Law, especially in access to justice and human rights;
- A minimum of 10 years of proven experience conducting quantitative and qualitative research;
- Evidence of studies and researches previously realized in the area of justice;
- Knowledge of Mozambican Justice Administration System;
- A minimum of 10 years of experience leading research teams;
- Experience working with international organizations, including UN agencies is an advantage;

Organizational skills

- Ability to prioritize, plan, coordinate and monitor your work plan

Language skills

- Fluency in Portuguese; (Knowledge of local languages is an advantage);

9.2. Specialist in gender and gender-based violence with cross-cutting expertise in HIV and AIDS

Education

- Bachelor's degree in social sciences, anthropology, sociology, gender studies, human rights or related fields

Work Experience

- Minimum of 7 years of experience in the area of gender and violence based on gender, women's rights, human rights;
- Proven knowledge of legal / judicial issues related to HIV / AIDS;
- Experience assessing and promoting initiatives to strengthen gender equality and defeat GBV;
- Proven experience in designing, monitoring and evaluating similar plans, programs or projects;
- Experience in the production of research and conducting quantitative and qualitative analysis;

Organizational skills

- Ability to prioritize, plan, coordinate and monitor a work plan

Language skills

- Fluency in Portuguese; (Knowledge of local languages is an advantage);

9.3. Specialist in statistics and economics**Education**

- Bachelor's degree in economics, statistics, or related field

Work Experience

- Minimum of 7 years relevant experience in the field of statistics and economics;
- Experience in the production of research and conducting quantitative and qualitative analysis;
- Proven experience assessing the impact of economic plans and policies;
- Proven experience in data analysis for the preparation of baseline studies;
- Proven experience with work in the areas of government institutions.

Organizational skills

- Ability to prioritize, plan, coordinate and monitor your work plan

Language skills

- Fluency in Portuguese; (Knowledge of local languages is an advantage);

11. UNPUBLISHED INFORMATION

The Consultant may not make use of any unpublished or confidential information that has come to his notice during the period of his consulting duties, without the Coordinator of the Secretariat's consent and a no objection from UNDP, under the opinion of the Senior Consultant. This prerequisite is maintained after the consulting period is expired or terminated.

12. EVALUATION CRITERIA

The selection criteria for this individual consultant will be based on the *Combined Scoring* method, where the qualifications and methodology will be weighted a maximum of 70% and combined with the financial proposal which will be weighted a maximum of 30%.

Only candidates obtaining a minimum of 100 points in technical criteria evaluation would be considered for the Financial Evaluation, as specified bellow:

Team leader specialized in access to justice and human rights

Criteria	Weight	Max. Point
<u>1. Technical</u>	70%	100 points in total
1.1. Eligibility Criteria		(50 points in total)
<i>Relevance of Education/ Bachelor's degree in juridical sciences, law, human rights, social science, political science or related field. (PHD will be an advantage)</i>		10 points
<i>Years of Relevant Experience/At least 10 years of relevant experience in the field of Law, especially in access to justice and human rights</i>		8 points
<i>A minimum of 10 years of proven experience conducting quantitative and qualitative research;</i>		8 points

<i>A minimum of 10 years of experience leading research teams</i>		7 points
<i>Evidence of studies and researches previously realized in the area of justice</i>		7 points
<i>Knowledge of Mozambican Justice Administration System;</i>		7 points
<i>Experience working with international organizations, including UN agencies is an advantage</i>		1 point
<i>Ability to prioritize, plan, coordinate and monitor your work plan</i>		1 point
<i>Fluency in Portuguese; (Knowledge of local languages is an advantage);</i>		1 point
<u>1.2. Technical evaluation criteria</u>		(50 points in total)
<i>Proposal meet objectives</i>		40 points
<i>Set achievable targets</i>		10 points
<u>Financial</u>	30%	

Specialist on gender and gender-based violence with cross-cutting expertise in HIV and AIDS

Criteria	Weight	Max. Point
<u>1. Technical</u>	70%	100 points in total
1.1. Eligibility Criteria		(50 points in total)
<i>Relevance of Education/ Bachelor's degree in social sciences, anthropology, sociology, gender studies, human rights or related fields</i>		10 points
<i>Years of Relevant Experience/Minimum of 7 years of experience in the area of gender and violence based on gender, women's rights, human rights;</i>		9 points
<i>Proven knowledge of legal / judicial issues related to HIV / AIDS;</i>		9 points
<i>Experience assessing and promoting initiatives to strengthen gender equality and defeat GBV;</i>		8 points
<i>Proven experience in designing, monitoring and evaluating similar plans, programs or projects;</i>		6 points
<i>Experience in the production of research and conducting quantitative and qualitative analysis;</i>		6 points
<i>Ability to prioritize, plan, coordinate and monitor a work plan</i>		1 point
<i>Fluency in Portuguese; (Knowledge of local languages is an advantage);</i>		1 point
1.2. Technical evaluation criteria		(50 points in total)
<i>Proposal meet objectives</i>		40 points
<i>Set achievable targets</i>		10 points
<u>Financial</u>	30%	

Specialist in statistics and economics

Criteria	Weight	Max. Point
<u>1. Technical</u>	70%	100 points in total
1.1. Eligibility Criteria		(50 points in total)
<i>Relevance of Education/ Bachelor's degree in economics, statistics, or related field</i>		10 points
<i>Years of Relevant Experience/ Minimum of 7 years relevant experience in the field of statistics and economics</i>		10 points
<i>Experience in the production of research and conducting quantitative and qualitative analysis;</i>		8 points
<i>Proven experience assessing the impact of economic plans and policies;</i>		8 points
<i>Proven experience in data analysis for the preparation of baseline studies;</i>		8 points
<i>Proven experience with work in the areas of government institutions.</i>		4 points
<i>Ability to prioritize, plan, coordinate and monitor your work plan</i>		1 point
<i>Fluency in Portuguese; (Knowledge of local languages is an advantage);</i>		1 point
1.2. Technical evaluation criteria		(50 points in total)
<i>Proposal meet objectives</i>		40 points
<i>Set achievable targets</i>		10 points
<u>Financial</u>	30%	

13. PAYMENTS SCHEDULE

30 % - Upon submission and approval of the inception report.

40 % - Upon submission of the preliminary report

30% - Upon submission and approval of the draft report and the final report

14. HOW TO APPLY

Proposal should be submitted through the following address bidsubmission.mz@undp.org no later than **12 September 2019**. Any request for clarification must be sent by standard electronic communication to the same e-mail address. The UNDP CO Procurement Unit will respond in writing or by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all consultants.

Section 6: Returnable Bidding Forms / Checklist

This form serves as a checklist for preparation of your Proposal. Please complete the Returnable Bidding Forms in accordance with the instructions in the forms and return them as part of your Proposal submission. No alteration to format of forms shall be permitted and no substitution shall be accepted.

Before submitting your Proposal, please ensure compliance with the Proposal Submission instructions of the BDS 22.

Technical Proposal Envelope:

Have you duly completed all the Returnable Bidding Forms?	
▪ Form A: Technical Proposal Submission Form	<input type="checkbox"/>
▪ Form B: Bidder Information Form	<input type="checkbox"/>
▪ Form C: Joint Venture/Consortium/ Association Information Form	<input type="checkbox"/>
▪ Form D: Qualification Form	<input type="checkbox"/>
▪ Form E: Format of Technical Proposal	<input type="checkbox"/>
▪ Form H: Proposal Security Form	<input type="checkbox"/>
Have you provided the required documents to establish compliance with the evaluation criteria in Section 4?	<input type="checkbox"/>

Financial Proposal Envelope

(Must be submitted in a separate sealed envelope/password protected email)

▪ Form F: Financial Proposal Submission Form	<input type="checkbox"/>
▪ Form G: Financial Proposal Form	<input type="checkbox"/>

Form A: Technical Proposal Submission Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	[Insert RFP Reference Number]		

We, the undersigned, offer to provide the services for [Insert Title of services] in accordance with your Request for Proposal No. [Insert RFP Reference Number] and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal and our Financial Proposal sealed under a separate envelope.

We hereby declare that our firm, its affiliates or subsidiaries or employees, including any JV/Consortium /Association members or subcontractors or suppliers for any part of the contract:

- a) is not under procurement prohibition by the United Nations, including but not limited to prohibitions derived from the Compendium of United Nations Security Council Sanctions Lists;
- b) have not been suspended, debarred, sanctioned or otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization;
- c) have no conflict of interest in accordance with Instruction to Bidders Clause 4;
- d) do not employ, or anticipate employing, any person(s) who is, or has been a UN staff member within the last year, if said UN staff member has or had prior professional dealings with our firm in his/her capacity as UN staff member within the last three years of service with the UN (in accordance with UN post-employment restrictions published in ST/SGB/2006/15);
- e) have not declared bankruptcy, are not involved in bankruptcy or receivership proceedings, and there is no judgment or pending legal action against them that could impair their operations in the foreseeable future;
- f) undertake not to engage in proscribed practices, including but not limited to corruption, fraud, coercion, collusion, obstruction, or any other unethical practice, with the UN or any other party, and to conduct business in a manner that averts any financial, operational, reputational or other undue risk to the UN and we embrace the principles of the United Nations Supplier Code of Conduct and adhere to the principles of the United Nations Global Compact.

We declare that all the information and statements made in this Proposal are true and we accept that any misinterpretation or misrepresentation contained in this Proposal may lead to our disqualification and/or sanctioning by the UNDP.

We offer to provide services in conformity with the Bidding documents, including the UNDP General Conditions of Contract and in accordance with the Terms of Reference

Our Proposal shall be valid and remain binding upon us for the period of time specified in the Bid Data Sheet.

We understand and recognize that you are not bound to accept any Proposal you receive.

I, the undersigned, certify that I am duly authorized by [Insert Name of Bidder] to sign this Proposal and bind it should UNDP accept this Proposal.

Name: _____

Title: _____

Date: _____

Signature: _____

[Stamp with official stamp of the Bidder]

Form B: Bidder Information Form

Legal name of Bidder	[Complete]
Legal address	[Complete]
Year of registration	[Complete]
Bidder's Authorized Representative Information	Name and Title: [Complete] Telephone numbers: [Complete] Email: [Complete]
Are you a UNGM registered vendor?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, [insert UGNM vendor number]
Are you a UNDP vendor?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, [insert UNDP vendor number]
Countries of operation	[Complete]
No. of full-time employees	[Complete]
Quality Assurance Certification (e.g. ISO 9000 or Equivalent) (If yes, provide a Copy of the valid Certificate):	[Complete]
Does your Company hold any accreditation such as ISO 14001 related to the environment? (If yes, provide a Copy of the valid Certificate):	[Complete]
Does your Company have a written Statement of its Environmental Policy? (If yes, provide a Copy)	[Complete]
Contact person UNDP may contact for requests for clarification during Proposal evaluation	Name and Title: [Complete] Telephone numbers: [Complete] Email: [Complete]
Please attach the following documents:	<ul style="list-style-type: none"> ▪ Company Profile, which should <u>not</u> exceed fifteen (15) pages, including printed brochures and product catalogues relevant to the goods/services being procured ▪ Certificate of Incorporation/ Business Registration ▪ Tax Registration/Payment Certificate issued by the Internal Revenue Authority evidencing that the Bidder is updated with its tax payment obligations, or Certificate of Tax exemption, if any such privilege is enjoyed by the Bidder ▪ Trade name registration papers, if applicable ▪ Local Government permit to locate and operate in assignment location (minimum class of license 3) ▪ Official Letter of Appointment as local representative, if Bidder is submitting a Bid in behalf of an entity located outside the country ▪ Power of Attorney

Form C: Joint Venture/Consortium/Association Information Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	[Insert RFP Reference Number]		

To be completed and returned with your Proposal if the Proposal is submitted as a Joint Venture/Consortium/Association.

No	Name of Partner and contact information (address, telephone numbers, fax numbers, e-mail address)	Proposed proportion of responsibilities (in %) and type of services to be performed
1	[Complete]	[Complete]
2	[Complete]	[Complete]
3	[Complete]	[Complete]

Name of leading partner (with authority to bind the JV, Consortium, Association during the RFP process and, in the event a Contract is awarded, during contract execution)	[Complete]
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We have attached a copy of the below document signed by every partner, which details the likely legal structure of and the confirmation of joint and severable liability of the members of the said joint venture:

☐ Letter of intent to form a joint venture **OR** ☐ JV/Consortium/Association agreement

We hereby confirm that if the contract is awarded, all parties of the Joint Venture/Consortium/Association shall be jointly and severally liable to UNDP for the fulfillment of the provisions of the Contract.

Name of partner: _____ Name of partner: _____

Signature: _____ Signature: _____

Date: _____ Date: _____

Name of partner: _____ Name of partner: _____

Signature: _____ Signature: _____

Date: _____ Date: _____

Form D: Qualification Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	[Insert RFP Reference Number]		

If JV/Consortium/Association, to be completed by each partner.

Historical Contract Non-Performance

<input type="checkbox"/> Contract non-performance did not occur for the last 3 years			
<input type="checkbox"/> Contract(s) not performed for the last 3 years			
Year	Non- performed portion of contract	Contract Identification	Total Contract Amount (current value in US\$)
		Name of Client: Address of Client: Reason(s) for non-performance:	

Litigation History (including pending litigation)

<input type="checkbox"/> No litigation history for the last 3 years			
<input type="checkbox"/> Litigation History as indicated below			
Year of dispute	Amount in dispute (in US\$)	Contract Identification	Total Contract Amount (current value in US\$)
		Name of Client: Address of Client: Matter in dispute: Party who initiated the dispute: Status of dispute: Party awarded if resolved:	

Previous Relevant Experience

Please list only previous similar assignments successfully completed in the last 3 years.

List only those assignments for which the Bidder was legally contracted or sub-contracted by the Client as a company or was one of the Consortium/JV partners. Assignments completed by the Bidder's individual experts working privately or through other firms cannot be claimed as the relevant experience of the Bidder, or that of the Bidder's partners or sub-consultants, but can be claimed by the Experts themselves in their CVs. The Bidder should be prepared to substantiate the claimed experience by presenting copies of relevant documents and references if so requested by UNDP.

Project name & Country of Assignment	Client & Reference Contact Details	Contract Value	Period of activity and status	Types of activities undertaken

Bidders may also attach their own Project Data Sheets with more details for assignments above.

☐ Attached are the Statements of Satisfactory Performance from the Top 3 (three) Clients or more.

Financial Standing

Annual Turnover for the last 3 years	Year	USD
	Year	USD
	Year	USD
Latest Credit Rating (if any), indicate the source		

Financial information (in US\$ equivalent)	Historic information for the last 3 years		
	Year 1	Year 2	Year 3
	<i>Information from Balance Sheet</i>		
Total Assets (TA)			
Total Liabilities (TL)			
Current Assets (CA)			
Current Liabilities (CL)			
	<i>Information from Income Statement</i>		
Total / Gross Revenue (TR)			
Profits Before Taxes (PBT)			
Net Profit			
Current Ratio			

☐ Attached are copies of the audited financial statements (balance sheets, including all related notes, and income statements) for the years required above complying with the following condition:

- a) Must reflect the financial situation of the Bidder or party to a JV, and not sister or parent companies;
- b) Historic financial statements must be audited by a certified public accountant;
- c) Historic financial statements must correspond to accounting periods already completed and audited. No statements for partial periods shall be accepted.

Form E: Format of Technical Proposal

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	[Insert RFP Reference Number]		

The Bidder's proposal should be organized to follow this format of Technical Proposal. Where the bidder is presented with a requirement or asked to use a specific approach, the bidder must not only state its acceptance, but also describe how it intends to comply with the requirements. Where a descriptive response is requested, failure to provide the same will be viewed as non-responsive.

SECTION 1: Bidder's qualification, capacity and experience

- 1.1 Brief description of the organization, including the year and country of incorporation, and types of activities undertaken.
- 1.2 General organizational capability which is likely to affect implementation: management structure, financial stability and project financing capacity, project management controls, extent to which any work would be subcontracted (if so, provide details).
- 1.3 Relevance of specialized knowledge and experience on similar engagements done in the region/country.
- 1.4 Quality assurance procedures and risk mitigation measures.
- 1.5 Organization's commitment to sustainability.

SECTION 2: Proposed Methodology, Approach and Implementation Plan

This section should demonstrate the bidder's responsiveness to the TOR by identifying the specific components proposed, addressing the requirements, providing a detailed description of the essential performance characteristics proposed and demonstrating how the proposed approach and methodology meets or exceeds the requirements. All important aspects should be addressed in sufficient detail and different components of the project should be adequately weighted relative to one another.

- 2.1 A detailed description of the approach and methodology for how the Bidder will achieve the Terms of Reference of the project, keeping in mind the appropriateness to local conditions and project environment. Details how the different service elements shall be organized, controlled and delivered.
- 2.2 The methodology shall also include details of the Bidder's internal technical and quality assurance review mechanisms.
- 2.3 Explain whether any work would be subcontracted, to whom, how much percentage of the work, the rationale for such, and the roles of the proposed sub-contractors and how everyone will function as a team.
- 2.4 Description of available performance monitoring and evaluation mechanisms and tools; how they shall be adopted and used for a specific requirement.
- 2.5 Implementation plan including a Gantt Chart or Project Schedule indicating the detailed sequence of activities that will be undertaken and their corresponding timing.
- 2.6 Demonstrate how you plan to integrate sustainability measures in the execution of the contract.
- 2.7 Any other comments or information regarding the project approach and methodology that will be adopted.

SECTION 2A: Bidder's Comments and Suggestions on the Terms of Reference

Provide comments and suggestions on the Terms of Reference, or additional services that will be rendered beyond the requirements of the TOR, if any.

SECTION 3: Management Structure and Key Personnel

- 3.1 Describe the overall management approach toward planning and implementing the project. Include an organization chart for the management of the project describing the relationship of key positions and designations. Provide a spreadsheet to show the activities of each personnel and the time allocated for his/her involvement.
- 3.2 Provide CVs for key personnel that will be provided to support the implementation of this project using the format below. CVs should demonstrate qualifications in areas relevant to the Scope of Services.

Format for CV of Proposed Key Personnel

Name of Personnel	[Insert]
Position for this assignment	[Insert]
Nationality	[Insert]
Language proficiency	[Insert]
Education/ Qualifications	<i>[Summarize college/university and other specialized education of personnel member, giving names of schools, dates attended, and degrees/qualifications obtained.]</i> [Insert]
Professional certifications	<i>[Provide details of professional certifications relevant to the scope of services]</i> <ul style="list-style-type: none">▪ Name of institution: [Insert]▪ Date of certification: [Insert]
Employment Record/ Experience	<i>[List all positions held by personnel (starting with present position, list in reverse order), giving dates, names of employing organization, title of position held and location of employment. For experience in last five years, detail the type of activities performed, degree of responsibilities, location of assignments and any other information or professional experience considered pertinent for this assignment.]</i> [Insert]
References	<i>[Provide names, addresses, phone and email contact information for two (2) references]</i> Reference 1: [Insert] Reference 2: [Insert]

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe my qualifications, my experiences, and other relevant information about myself.

Signature of Personnel

Date (Day/Month/Year)

Form F: Financial Proposal Submission Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	[Insert RFP Reference Number]		

We, the undersigned, offer to provide the services for [Insert Title of services] in accordance with your Request for Proposal No. [Insert RFP Reference Number] and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal and our Financial Proposal sealed under a separate envelope.

Our attached Financial Proposal is for the sum of [Insert amount in words and figures].

Our Proposal shall be valid and remain binding upon us for the period of time specified in the Bid Data Sheet.

We understand you are not bound to accept any Proposal you receive.

Name: _____
Title: _____
Date: _____
Signature: _____

[Stamp with official stamp of the Bidder]

Form G: Financial Proposal Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
RFP reference:	[Insert RFP Reference Number]		

The Bidder is required to prepare the Financial Proposal following the below format and submit it in an envelope separate from the Technical Proposal as indicated in the Instruction to Bidders. Any Financial information provided in the Technical Proposal shall lead to Bidder's disqualification.

The Financial Proposal should align with the requirements in the Terms of Reference and the Bidder's Technical Proposal.

Currency of the proposal: [Insert Currency]

Table 1: Summary of Overall Prices

DAILY RATES						
Provide daily rates for each of the grades listed in table below to provide the services in accordance the TOR.						
The rates provided should include the following;						
a) Rates to be inclusive of all associated costs (excluding travel and subsistence, see paragraph 3.a.) whatsoever or however incurred, to carry out the service including, insurances, overheads and profit.						
b) The rates shall be valid for all projects regardless of size type or location						
c) The role descriptions provided in table shall include for all tasks associated with providing Site Supervision in accordance with TOR. No other role descriptions will be accepted.						
Rates per day						
	Item No	Role	Requirement	No Days	Rate /day	Total Amount
	1	Team Leader - Specialist in access to justice and human rights	As per TORs			
	2	Specialist in gender and gender-based violence with cross-cutting expertise in HIV and AIDS	As per TORs			
	3	Specialist in statistics and economics	As per TORs			
	4	Other admin/technical staff	Provide qualifications			
					Total of fees	0

Other costs						
	Item No	Description	UoM	Qty	Unit Price	Total Amount
	1	Transport cost	Lump Sum			
	2	Traveling Expenses	Trip			
	3	Living allowance	Daily			
	4	Miscellaneous expenses	Lump Sum			
	5	Out-of-Pocket expenses	TBD			
	6	Other Costs (please specify)	TBD			
Total of other costs						0
Total of Fin. proposal						0

Table 2: Breakdown of Price per Deliverable/Activity

Deliverable/ Activity description	Time (person days)	Professional Fees	Other Costs	Total
Deliverable 1 - Inception Report				
Deliverable 2 - Draft Report				
Deliverable 3 - Workshop of evaluation of the Draft Report				
Deliverable 4 - Final Report				